

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08	UNITED STATES OF AMERICA,)	
)	CASE NO. CR07-061-RSL
09	Plaintiff,)	
)	
10	v.)	SUMMARY REPORT OF U.S.
)	MAGISTRATE JUDGE AS TO
11	MARK ANTHONY FORD,)	ALLEGED VIOLATIONS
)	OF SUPERVISED RELEASE
12	Defendant.)	
	_____)	

14 An initial hearing on supervised release revocation in this case was scheduled before me
15 on November 22, 2010. The United States was represented by AUSA Jim Schacht for Bruce
16 Miyaki and the defendant by Mike Nance. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about July 6, 2007 by the Honorable Robert S.
18 Lasnik on a charge of Conspiracy to Defraud the United States with Respect to Claims, and
19 sentenced to 24 months custody, 3 years supervised release. (Dkt. 24.)

20 The conditions of supervised release included the standard conditions plus the
21 requirements that defendant be prohibited from incurring new credit charges or lines of credit,
22 participate in drug testing and treatment, abstain from alcohol, submit to search, pay restitution

01 in the amount of \$42,100, and provide his probation officer with access to financial information
02 as requested.

03 On March 20, 2009, defendant's probation officer reported that he tested positive for
04 cocaine. The defendant was reprimanded, referred for professional assessment, and testing was
05 increased. No further action was taken at the time. (Dkt. 25.) On April 15, 2009, defendant's
06 probation officer reported that he tested positive a second time for cocaine. Defendant was
07 placed in a structured testing program and referred for counseling. No further action was taken
08 at the time. (Dkt. 26.) On June 30, 2009, defendant admitted violating the conditions of
09 supervised release by using cocaine, failing to attend intensive outpatient treatment and failing
10 to report for urinalysis testing. He was sentenced to 90 days in custody, plus 27 months
11 supervised release. Previous conditions of supervised release were imposed, plus defendant was
12 required to participate in mental health treatment and satisfactorily participate in a residential
13 reentry center program for up to 90 days. (Dkt. 35.)

14 On January 20, 2010, defendant's probation officer reported that he tested positive for
15 cocaine on two occasions. He was reprimanded, placed in a structured testing program, with
16 increased frequency of testing, and referred for counseling, professional assessment, and
17 intensive outpatient treatment. No further action was taken at the time. (Dkt. 36.) On March 16,
18 2010, defendant admitted violating the conditions of supervised release by using cocaine on a
19 number of occasions. (Dkt. 46.) He was sentenced to four months in custody, plus 27 months
20 supervised release. Additionally, he was required to successfully complete a residential reentry
21 center program for up to 120 days. (Dkt. 49.) On September 2, 2010, defendant admitted
22 violating the conditions of supervised release by using cocaine on or before August 27, 2010, and

01 failing to satisfactorily participate in the residential reentry center program by absconding. (Dkt.
02 56.) He was sentenced to 30 days in custody, plus 24 months supervised release. (Dkt. 61.) On
03 October 15, 2010, defendant's probation officer reported that he tested positive for cocaine. He
04 was placed in a structured testing program, reprimanded, testing was increased and he was
05 referred for professional assessment. (Dkt. 62.) No further action was taken at the time.

06 In an application dated November 22, 2010 (Dkt. 63, 64), U.S. Probation Officer Jennifer
07 J. Tien alleged the following violations of the conditions of supervised release:

08 1. Using cocaine on or before November 20, 2010, in violation of standard condition
09 number 7.

10 2. Failing to comply with the rules and regulations of the location monitoring
11 program by using cocaine and deviating on or before November 20, 2010, in violation of the
12 special condition that he participate in the location monitoring program for a period of 120 days.

13 Defendant was advised in full as to those charges and as to his constitutional rights.

14 Defendant admitted the alleged violations and waived any evidentiary hearing as to
15 whether they occurred. (Dkt. 65.)

16 I therefore recommend the Court find defendant violated his supervised release as
17 alleged, and that the Court conduct a hearing limited to the issue of disposition. The next
18 hearing will be set before Judge Lasnik.

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01 Pending a final determination by the Court, defendant has been detained.

02 DATED this 22nd day of November, 2010.

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04 Mary Alice Theiler
05 United States Magistrate Judge

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07 cc: District Judge: Honorable Robert S. Lasnik
08 AUSA: Jim Schacht, Bruce Miyaki
09 Defendant's attorney: Mike Nance
10 Probation officer: Jennifer Tien
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